

AMENDED IN SENATE MARCH 21, 2011

**SENATE BILL**

**No. 570**

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**Introduced by Senator Rubio**

February 17, 2011

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An act to amend Section 44099 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 570, as amended, Rubio. San Joaquin Valley Unified Air Pollution Control District: high polluter ~~vehicles~~: *vehicles: Schoolbuses*.

(1) Existing law, until January 1, 2013, requires the San Joaquin Valley Unified Air Pollution Control District (district) to develop and administer, in consultation with the State Air Resources Board, a voluntary program to remove high polluter vehicles within the district by exchanging high polluter vehicles in the district for donated vehicles, as provided. ~~Existing law requires the district to submit a report, on or before January 1, 2012, relating to the implementation and status of the program, including, but not limited to, the number of vehicles donated.~~

~~This bill would extend the operation of these provisions until January 1, 2014, and would make the report due on or before January 1, 2013. By extending the duties of a local air district, the bill would impose a state-mandated local program.~~

*This bill would repeal these provisions, and instead require the district to administer, until January 1, 2014, a voluntary program to replace high emitting schoolbuses in the San Joaquin Valley. By imposing duties on a local air district, the bill would impose a state-mandated local program.*

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 44099 of the Health and Safety Code is  
2 amended to read:  
3 44099. (a) As used in this section, “district” means the San  
4 Joaquin Valley Unified Air Pollution Control District.  
5 ~~(b) The district shall develop and administer, in consultation~~  
6 ~~with the state board, a voluntary program to improve air quality~~  
7 ~~by exchanging high polluter vehicles within the district for donated~~  
8 ~~vehicles. The program shall do all of the following:~~  
9 ~~(1) Permit any person or business entity within the state to~~  
10 ~~donate to the district any low-emission motor vehicle that has~~  
11 ~~passed its last required smog test. If the vehicle is registered at a~~  
12 ~~residence located outside of the district, the donor shall deliver the~~  
13 ~~vehicle to the district.~~  
14 ~~(2) Permit the owner of a motor vehicle who lives within the~~  
15 ~~jurisdiction of the district to apply to the district for a replacement~~  
16 ~~vehicle if both of the following conditions are met:~~  
17 ~~(A) The motor vehicle did not pass its most recent smog check~~  
18 ~~inspection.~~  
19 ~~(B) The motor vehicle has been registered in any county~~  
20 ~~encompassed by the district for a period of at least two years~~  
21 ~~immediately preceding the application.~~  
22 ~~(c) The district shall give priority for vehicle replacement to~~  
23 ~~persons whose family income does not exceed 225 percent of the~~  
24 ~~federal poverty level.~~  
25 ~~(d) The district may authorize, by contract, any entity to~~  
26 ~~administer any portion of the program.~~  
27 ~~(e) The district shall certify that the exchange of any two~~  
28 ~~vehicles results in quantified lower net emissions.~~

1     ~~(f) The vehicle replacement program shall be a supplement to,~~  
2     ~~and not a replacement for, other high polluter repair or removal~~  
3     ~~programs, pursuant to this article.~~

4     ~~(g) The program shall be limited to 200 vehicle exchanges, as~~  
5     ~~described in subdivision (a), annually.~~

6     ~~(h) The district shall store the replacement vehicles in a central~~  
7     ~~facility.~~

8     ~~(i) The district shall ensure that high polluter vehicles replaced~~  
9     ~~under this program are removed from operation and scrapped or~~  
10    ~~crushed by a dismantler participating in the “Partners in the~~  
11    ~~Solution” program of the State of California Auto Dismantlers~~  
12    ~~Association (SCADA) and operating under contract with the~~  
13    ~~district.~~

14    ~~(j) The district shall include protections in the program against~~  
15    ~~abuse of the program by recipients of the donated cars.~~

16    ~~(b) The district, in consultation with the state board, shall~~  
17    ~~administer a voluntary program to replace high emitting~~  
18    ~~schoolbuses in the San Joaquin Valley.~~

19    ~~(c) In selecting projects, the district shall follow the state~~  
20    ~~board’s Lower-Emission School Bus Program guidelines, and~~  
21    ~~shall give priority to model year 1987 and older schoolbuses.~~

22    ~~(k)~~

23    ~~(d) Any interest generated from the funds allocated to the district~~  
24    ~~from the Traffic Congestion Relief Fund, established by Section~~  
25    ~~14556.5 of the Government Code, for the purposes of paragraph~~  
26    ~~(100) of subdivision (a) of Section 14556.40 of the Government~~  
27    ~~Code may be used, upon appropriation by the Legislature, by the~~  
28    ~~district for the purpose of administering the program established~~  
29    ~~in this section.~~

30    ~~(t)~~

31    ~~(e) On or before January 1, 2013, the district shall submit a~~  
32    ~~report to the Legislature on the implementation and status of the~~  
33    ~~program, including, but not limited to, the number of vehicles~~  
34    ~~donated, the number of vehicles that participated in the program,~~  
35    ~~the number of donated vehicles on hand, the costs of operating the~~  
36    ~~program, the estimated emission reductions achieved through the~~  
37    ~~program, the cost to achieve a one-ton reduction in emissions, the~~  
38    ~~expected costs of the program if the program were statewide, and~~  
39    ~~the costs of the program compared to other efforts to reduce~~

1 ~~vehicular emissions~~; schoolbuses replaced and the estimated  
2 emission reductions achieved through the program.

3 ~~(m)~~

4 (f) This section shall remain in effect only until January 1, 2014,  
5 and as of that date is repealed, unless a later enacted statute, that  
6 is enacted before January 1, 2014, deletes or extends that date.

7 SEC. 2. If the Commission on State Mandates determines that  
8 this act contains costs mandated by the state, reimbursement to  
9 local agencies and school districts for those costs shall be made  
10 pursuant to Part 7 (commencing with Section 17500) of Division  
11 4 of Title 2 of the Government Code.